

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x
H. CRISTINA CHEN-OSTER; SHANNA
ORLICH; ALLISON GAMBA; and MARY DE
LUIS,
Plaintiffs, : 10 Civ. 6950 (AT) (RWL)
v.
GOLDMAN SACHS & CO. and THE
GOLDMAN SACHS GROUP, INC.,
Defendants.
-----x

DECLARATION OF ROBERT J. GIUFFRA, JR.

I, Robert J. Giuffra, Jr., pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury as follows:

1. I am a partner of Sullivan & Cromwell LLP, attorneys for Defendants in this action and a member of the Bar of the State of New York. I make this Declaration to place before this Court certain documents and information referenced in Defendants' Memorandum of Law in Opposition to Plaintiffs' Motion for Relief Under Federal Rule of Civil Procedure 23 (the "Opposition").

2. Attached hereto as Appendix A is a list of 15 agreements that were executed after the Court's March 30, 2018 order granting in part Plaintiffs' motion for class certification (ECF No. 578) and that are the subject of Defendants' Motion to Stay the Claims of Certain Class Members, to Exclude Them from the Class, and to Compel Them to Arbitration ("Defendants' Motion to Compel Arbitration"). This list was compiled from information in Appendices A and C to my Declaration, dated April 12, 2019, submitted in support of Defendants' Motion to

Compel Arbitration (ECF No. 716) and Exhibit 1 to the Declaration of Eric Dias, dated June 10, 2019, submitted in support of the Opposition.

3. Attached hereto as Appendix B is a summary of information related to 2,174 class members who were or are employed by Goldman Sachs after the original Complaint was filed on September 15, 2010 and who have received document hold notices referencing this action. This information was compiled from voluminous employment-related data previously made available to Plaintiffs related to employment status at Goldman Sachs after the filing of the original Complaint on September 15, 2010, such as termination, promotion or transfer dates, and from Exhibit 1 to the Declaration of Michael Becker, dated June 6, 2019 submitted in support of the Opposition.

4. Attached hereto are true and correct copies of the following documents:

[REDACTED]

Exhibit 1

[REDACTED]

Exhibit 2

[REDACTED]

Exhibit 3

[REDACTED]

Exhibit 4

[REDACTED]

Exhibit 5

[REDACTED]

Exhibit 6

[REDACTED]

Exhibit 7

[REDACTED]

[REDACTED]

Exhibit 8

[REDACTED]

Exhibit 9

[REDACTED]

Exhibit 10

[REDACTED]

Exhibit 11

[REDACTED]

Exhibit 12

[REDACTED]

Exhibit 13

[REDACTED]

Exhibit 14

[REDACTED]

Exhibit 15

February 5, 2019 Letter from Robert J. Giuffra, Jr. to Kelly M. Dermody and Adam T. Klein regarding [REDACTED]

Exhibit 16

February 5, 2019 Letter from Robert J. Giuffra, Jr. to Kelly M. Dermody and Adam T. Klein regarding [REDACTED]

Exhibit 17

February 5, 2019 Letter from Robert J. Giuffra, Jr. to Kelly M. Dermody and Adam T. Klein regarding [REDACTED]

Exhibit 18

February 5, 2019 Letter from Robert J. Giuffra, Jr. to Kelly M. Dermody and Adam T. Klein regarding [REDACTED]

Exhibit 19

February 5, 2019 Letter from Robert J. Giuffra, Jr. to Kelly M. Dermody and Adam T. Klein regarding [REDACTED]

Exhibit 20

February 5, 2019 Letter from Robert J. Giuffra, Jr. to Kelly M. Dermody and Adam T. Klein regarding [REDACTED]	Exhibit 21
February 19, 2019 Letter from Robert J. Giuffra, Jr. to Kelly M. Dermody and Adam T. Klein regarding Correspondence With Individual Counsel	Exhibit 22
March 29, 2019 Letter from Robert J. Giuffra, Jr. to Kelly M. Dermody and Adam T. Klein	Exhibit 23
Notice Distributed to Class Members on November 30, 2018	Exhibit 24
Amended Initial Disclosures of Defendants Goldman Sachs & Co. LLC and The Goldman Sachs Group, Inc., dated April 9, 2019	Exhibit 25
April 9, 2019 Letter from Joshua S. Levy to Kelly M. Dermody and Adam T. Klein enclosing Document Production in Connection with Defendants' Amended Initial Disclosures	Exhibit 26
David Lat, <i>Goldman Sachs Accused of Sex Discrimination</i> , Above the Law (Sept. 15, 2010)	Exhibit 27
Bob Van Voris, Christine Harper, <i>Goldman Sachs Sued Over Alleged Gender Discrimination</i> , Bloomberg (Sept. 15, 2010)	Exhibit 28
Courtney Comstock, <i>Meet The Woman Suing Goldman Sachs for Sexual Discrimination</i> , Business Insider (Sept. 15, 2010)	Exhibit 29
Courtney Comstock, <i>Shanna Orlich, The Other Woman Suing Goldman Sachs For Gender Discrimination</i> , Business Insider (Sept. 15, 2010)	Exhibit 30
Courtney Comstock, <i>The Craziest 15 Ways Women Say They Were Harassed at Goldman Sachs</i> , Business Insider (Sept. 15, 2010)	Exhibit 31
David Benoit, <i>Goldman Sachs Sued for Discrimination Against Women</i> , Dow Jones News Service (Sept. 15, 2010)	Exhibit 32
Ben Yakas, <i>Women Sue Goldman Sachs for Male "Corporate Culture"</i> , Gothamist (Sept. 15, 2010)	Exhibit 33
<i>Goldman Sachs Faces Accusations of Sexism from Female Employees</i> , NBC New York (Sept. 15, 2010)	Exhibit 34
<i>Suit filed: NYC Investment Firm Goldman Sachs hit with discrimination lawsuit</i> , New York Daily News (Sept. 10, 2015)	Exhibit 35
<i>Plaintiffs' Counsel Announces Female Employees Sue Goldman Sachs for Sex Discrimination</i> , N.Y. Business Wire (Sept. 15, 2010)	Exhibit 36
Chris Rovzar, <i>Goldman on Sexual-Harassment Suit: People Are Critical to Our Business</i> , N.Y. Magazine (Sept. 15, 2010)	Exhibit 37

Dan Mangan, <i>Boys Club Bashed</i> , N.Y. Post (Sept. 15, 2010)	Exhibit 38
Peter Lattman, <i>Women Sue Goldman, Claiming Pay and Jobs Bias</i> , N.Y. Times (Sept. 15, 2010)	Exhibit 39
<i>Goldman Sachs Sued for Alleged Gender Discrimination: Reports</i> , RTT News (Sept. 15, 2010)	Exhibit 40
Andrew Clark, <i>Goldman Sachs hit by lurid allegations of sex discrimination</i> , The Guardian (Sept. 15, 2010)	Exhibit 41
Marcy Gordon, <i>3 female ex-employees allege bias at Goldman Sachs</i> , The Seattle Press (Sept. 15, 2010)	Exhibit 42
Dan Freed, <i>Goldman Hit by Discrimination Suit</i> , The Street (Sept. 15, 2010)	Exhibit 43
Heather Horn, <i>Three Women Sue Goldman Sachs for Gender Discrimination</i> , The Wire (Sept. 15, 2010)	Exhibit 44
Elizabeth Amon, <i>Goldman Sachs, Lehman, CBIC, Toyota in Court News (Update 1)</i> , Bloomberg Law (Sept. 16, 2010)	Exhibit 45
Richard Blackden, <i>Goldman faces 'press-ups on the trading floor' sex discrimination lawsuit</i> , Daily Telegraph (Sept. 16, 2010)	Exhibit 46
Mark Blunden, <i>Women accuse bank giant Goldman Sachs of 'golf and escorts culture'</i> , Evening Standard (Sept. 16, 2010)	Exhibit 47
Hamilton Nolan, <i>Goldman Sachs Lawsuit: Stripper Parties, Racist Emails, and More!</i> , Gawker (Sept. 16, 2010)	Exhibit 48
Dan Mangan, <i>Boys Club Bashed</i> , The N.Y. Post (Sept. 16, 2010)	Exhibit 49
Peter Lattman, <i>3 Women Claim Bias at Goldman</i> , N.Y. Times (Sept. 16, 2010)	Exhibit 50
Stephen Foley, <i>Lawsuit challenges sexism at Goldman</i> , N.Z. Herald (Sept. 16, 2010)	Exhibit 51
<i>Goldman Sachs Faces Gender Bias Lawsuit</i> , Star Ledger (Sept. 16, 2010)	Exhibit 52
David Benoit, <i>Three Women Sue Goldman, Alleging Bias</i> , Wall Street Journal (Sept. 16, 2010)	Exhibit 53
Daniel Bates, <i>Women employees at 'boys club Goldman Sachs were taken to strip clubs and banned from golf trips'</i> , Daily Mail (Sept. 17, 2010)	Exhibit 54
Ban Yakas, <i>Goldman Sachs Gives Massive Donation as Lawsuit Looms</i> , Gothamist (Sept. 17, 2010)	Exhibit 55

<i>Female workers sue banking firm Goldman Sachs over sex discrimination,</i> Sify News (Sept. 18, 2010)	Exhibit 56
Phillip Sherwell, <i>Goldman Sachs sex discrimination case: court papers reveal inside story</i> , The Sunday Telegraph (Sept. 19, 2010)	Exhibit 57
Courtney Comstock, <i>The Craziest 15 Ways Women Say They Were Harassed at Goldman Sachs</i> , Business Insider (Mar. 29, 2011)	Exhibit 58
Moira Herbst, <i>Goldman Sachs fights bias lawsuit, cites Wal-Mart</i> , Thompson Reuters (July 22, 2011)	Exhibit 59
Louis M. Solomon, <i>Court Adheres to Earlier Ruling That Arbitration Clause is Unenforceable Because It Interfered With Federal Right, Despite Supreme Court Ruling In Concepcion</i> , Mondaq (Aug. 31, 2011)	Exhibit 60
W. Lawrence Westcott II, <i>Commentary: Reducing e-discovery burden - easier said than done</i> , Legal News (Nov. 1, 2012)	Exhibit 61
Rebecca Bjork, Gerald L. Maatman, Jr., <i>Stakes Are High In Chen-Oster Oral Argument Before the Second Circuit</i> , Seyfarth Shaw LLP Workplace Class Action Blog (Nov. 7, 2012)	Exhibit 62
Nate Raymond, <i>Goldman wins ruling to arbitrate discrimination claim</i> , Chicago Tribune (Mar. 21, 2013)	Exhibit 63
Michael L. Stevens, <i>Second Circuit Compels Individual Arbitration in Goldman Sachs Class Action Sex Bias Suit</i> , Legal Monitor Worldwide (Mar. 26, 2013)	Exhibit 64
Susan Antilla, <i>After Boom-Boom Room, Fresh Tactics to Fight Bias</i> , N.Y. Times (Apr. 3, 2013)	Exhibit 65
Anna Fisher, <i>Should Performance Reviews be Crowdsourced?</i> , Fortune (Oct. 8, 2013)	Exhibit 66
Mary Romano, Karen Gullo, <i>Goldman Must Turn Over Female Employee Complaints in Suit</i> , Bloomberg Law (Oct. 15, 2013)	Exhibit 67
Katherine Dela Cruz, <i>Goldman Sachs must disclose complaints from all female workers in certain divisions</i> , S&P Global Market Intelligence (Oct. 16, 2013)	Exhibit 68
Marjorie Johnson, <i>Goldman Sachs ordered to turn over internal complaints conceivably related to gender bias</i> , Wolters Kluwer (Oct. 17, 2013)	Exhibit 69
Matthew Zeitlin, <i>Women Claim Goldman Sachs Was "Boys' Club" In Pay Discrimination Suit</i> , Buzzfeed News (July 1, 2014)	Exhibit 70
Howard Koplowitz, <i>Goldman Sachs Hostile To Women Claim Former</i>	Exhibit 71

Employees In Lawsuit, International Business Times (July 1, 2014)

Bob Van Voris, Max Abelson, *Goldman Sachs 'Boy's Club' Accused of Mocking Women*, Bloomberg (July 2, 2014)

Exhibit 72

Harry Bruinius, *Women Call Goldman Sachs Hostile Workplace, Seek to Expand Bias Suit*, The Christian Science Monitor (July 2, 2014)

Exhibit 73

Jesse Solomon, *Suit alleges 'boy's club' culture at Goldman*, CNN Money (July 2, 2014)

Exhibit 74

Bryan Keogh, *Women at Goldman Sachs are either sexualized or ignored by binge-drinking 'boys club'*, claim two former employees as they launch class action lawsuit, Daily Mail (July 2, 2014)

Exhibit 75

Ben Yakas, *Ex-Employees Suing Goldman Sachs On Behalf of All Women*, Gothamist (July 2, 2014)

Exhibit 76

Goldman 'boys club' accused of mocking women as 'bimbos', the Irish Times (July 2, 2014)

Exhibit 77

Daniel Beekman, *Goldman Sachs is a 'boys club' that undermines women, ex-employee says*, New York Daily News (July 2, 2014)

Exhibit 78

Kevin Roose, *Is Goldman Sachs a Boys Club This Lawsuit Claims It Is*, N.Y. Magazine (July 2, 2014)

Exhibit 79

Susan Antilla, *Goldman Women Say They Make Less Than Men Who Frequent Strip Clubs, Call them 'Bimbos'*, The Street (July 2, 2014)

Exhibit 80

Justin Lane, *Goldman Sachs accused of "boys club" bias*, USA Today (July 2, 2014)

Exhibit 81

Gail Sullivan, *Goldman Sachs, Tinder slapped with sex discrimination lawsuits*, The Washington Post (July 2, 2014)

Exhibit 82

David Gardner, *Former female Goldman Sachs executives sue 'boys' club' company for sex bias*, Evening Standard (July 3, 2014)

Exhibit 83

Daniel Beekman, *'More bias' sacks Sachs*, New York Daily News (July 3, 2014)

Exhibit 84

Pay play in binge lawsuit, The N.Y. Post (July 3, 2014)

Exhibit 85

Jessica Grose, *Are Wall Street Banks Still Dumb Enough to Hold Meetings in Strip Clubs?*, Slate (July 3, 2014)

Exhibit 86

Patrick Hosking, *Bank urged female staff to 'take clients to strip clubs'*, The Times (London) (July 3, 2014)

Exhibit 87

Patrick Hosking, <i>Goldman Sachs treated females like 'bimbos'</i> , The Times (London) (July 3, 2014)	Exhibit 88
Mark McSherry, <i>Legal stakes raised against the Goldman Sachs 'boys club'</i> , The Independent (July 4, 2014)	Exhibit 89
Joanna Weiner, <i>Do the White House and Goldman Sachs' gender pay gaps reflect discrimination?</i> , Washington Post (July 7, 2014)	Exhibit 90
Susan Antilla, <i>Goldman Sachs Doesn't Want to Be a Misogynist 'Vampire Squid'</i> , The Street (July 18, 2014)	Exhibit 91
Bob Van Voris, <i>Goldman Sachs Denies Ex-Employee Claims of Sex Bias</i> , Bloomberg Law (July 28, 2014)	Exhibit 92
Bob Van Voris, <i>Goldman Sachs Denies Ex-Employee Claims of Sex Bias</i> , Bloomberg (July 28, 2014)	Exhibit 93
Katherine Dela Cruz, <i>Goldman Sachs asks judge to reject proposed class certification of gender discrimination suit</i> , S&P Global Market Intelligence (July 29, 2014)	Exhibit 94
<i>Goldman Sachs denied any workplace sex bias</i> , The Economic Times (July 31, 2014)	Exhibit 95
Susan Antilla, <i>Can Goldman Sachs' Women Make the Cut in 'Extreme Jobs'?</i> , The Street (Aug. 18, 2014)	Exhibit 96
Bob Van Voris, <i>Goldman Sachs Boys Club Faulted as Women Pursue Lawsuit</i> , Bloomberg Law (Oct. 22, 2014)	Exhibit 97
Bess Levin, <i>Goldman Sachs: Sex Discrimination Practices At The Bank Are A Lot More Nuanced Than Ex-Employees Are Making Them Out To Be</i> , Deal Breaker (Oct. 22, 2014)	Exhibit 98
<i>"Chen-Oster v. GS" - Will This Be The "Dukes v. Wal-Mart" Which Does Get Certified As Class Action Lawsuit?</i> , Law And More (Oct. 23, 2014)	Exhibit 99
Ellen Rosen, <i>NBC, Interns Settle; Goldman Bias Suit: Business of Law</i> , Bloomberg (Oct. 24, 2014)	Exhibit 100
Kevin Dugan, <i>Goldman Sach's differentiating stats dominate sex suit</i> , The N.Y. Post (Oct. 24, 2014)	Exhibit 101
Bob Van Voris, <i>Goldman Judge Advises against Group Discrimination Suit (I)</i> , Bloomberg (Mar. 10, 2015)	Exhibit 102
Bob Van Voris, <i>Goldman Takes Key Step to Toss Group Discrimination Suit</i> , Bloomberg (Mar. 10, 2015)	Exhibit 103

Brandi O. Brown, <i>Magistrate reluctantly recommends denying class cert in Goldman Sachs sex discrimination case</i> , Wolters Kluwer (Mar. 17, 2015)	Exhibit 104
Mark Batten, Charles J. Stiegler, <i>Magistrate Recommends Denial of Class Certification in Goldman Sachs Gender Discrimination Suit</i> , Mondaq (Mar. 23, 2015)	Exhibit 105
Kevin Dugan, <i>Judge cautions Goldman Sachs lawyer during lawsuit hearing</i> , The N.Y. Post (July 22, 2015)	Exhibit 106
Emily Jane Fox, <i>Goldman Sachs Promotes Record Number of Women, and it's Still Just 25 Percent</i> , Vanity Fair (Nov. 13, 2015)	Exhibit 107
Sheelah Kolhatkar, <i>Wall Street Women: Harrassed and Power-Hungry</i> , The New Yorker (July 22, 2016)	Exhibit 108
Katherine Dela Cruz, <i>Judge throws out Goldman Sach's dismissal bid in gender discrimination case</i> , S&P Global Market Intelligence (April 12, 2017)	Exhibit 109
<i>US judge rejects Goldman Sachs' bid to narrow gender bias lawsuit</i> , CNBC (April 13, 2017)	Exhibit 110
Jonathan Stempel, <i>U.S. judge rejects Goldman Sachs' bid to narrow gender bias lawsuit</i> , Yerepouni Daily News (April 13, 2017)	Exhibit 111
Mrinalini Krishna, <i>Women vs Goldman Sachs in Gender Bias Lawsuit</i> , Investopedia (April 14, 2017)	Exhibit 112
Lorene D. Park, J.D., <i>Goldman Sachs may have to reinstate plaintiffs, even if they resigned or division was eliminated</i> , Wolters Kluwer (April 17, 2017)	Exhibit 113
Alison Frankel, <i>Goldman Sachs asks for appellate help in sex discrimination class action</i> , Thompson Reuters (June 27, 2017)	Exhibit 114
William D. Cohan, <i>Women Say a Rigged System Allows Wall Street to Hide its Sexual-Harassment Problem</i> , The New Yorker (Jan. 7, 2018)	Exhibit 115
Dane Levine, <i>How the courts help companies keep sexual misconduct under cover</i> , Thompson Reuters (Jan. 10, 2018)	Exhibit 116
Jonathan Stempel, <i>U.S. judge certifies Goldman Sachs gender bias class action</i> , Thompson Reuters (Mar. 30, 2018)	Exhibit 117
Jonathan Stempel, <i>U.S. judge certifies Goldman Sachs gender bias class action</i> , Channel NewsAsia (Mar. 31, 2018)	Exhibit 118
Ben McLannahan, <i>Goldman faces class action over female pay discrimination</i> , The Financial Times (April 2, 2018)	Exhibit 119
Jonathan Stempel, <i>Judge Certifies Class Action Accusing Goldman Sachs of</i>	Exhibit 120

Gender Discrimination, Insurance Journal (April 2, 2018)

Joy P. Waltemath, J.D., *Gender bias class action against Goldman Sachs gets green light*, Wolters Kluwer (April 4, 2018)

Exhibit 121

Cheryl D. Orr, *A New York Federal Court Takes a Novel Approach to Discretionary Employment Decisions In Partially Certifying a Financial Industry Gender Discrimination Class Action*, The National Law Review (April 6, 2018)

Exhibit 122

René E. Thorne, *Class Certification Granted in Goldman Sachs Gender Discrimination Litigation*, The National Law Review (April 6, 2018)

Exhibit 123

Dune Lawrence, *To Sue Goldman Sachs, You Have to Be Willing to Hang On—For a Long, Long Time*, Bloomberg (May 3, 2018)

Exhibit 124

Dune Lawrence, *Wall Street's Big Gender Lawsuit Is 13 Years in the Making*, Bloomberg (May 3, 2018)

Exhibit 125

Tanaya Macheel, *Gender discrimination class action at Goldman, and its bitcoin trading foray*, American Banker (May 4, 2018)

Exhibit 126

Andrew Ross Sorkin, *Warren Buffett Really Likes Apple's Shares: DealBook Briefing*, N.Y. Times (May 4, 2018)

Exhibit 127

Lisa Milam-Perez, J.D., *Top labor and employment developments in April 2018*, Wolters Kluwer (May 6, 2018)

Exhibit 128

Whitney Tilson: Sunrise At LaGuardia; What To Do If You Want To Sue Goldman Sachs, Value Walk (Aug. 7, 2018)

Exhibit 129

Jack Newsham, *2nd Circ. Judge Casts Doubt On Goldman Appeal In Bias Suit*, Law360 (Aug. 28, 2018)

Exhibit 130

Dune Lawrence, *Goldman's Gender Bias Fight Moves Closer to Trial After 13 Years*, Bloomberg (Sept. 5, 2018)

Exhibit 131

Jack Newsham, *2nd Circ. Denies Goldman Appeal of Sex Bias Cert. Decision*, Law360 (Sept. 5, 2018)

Exhibit 132

Anthony Noto, *Gender-bias case against Goldman Sachs moves closer to trial 13 years later*, New York Business Journal (Sept. 5, 2018)

Exhibit 133

Appeal rejected in Goldman bias case; factories grew at faster pace in Aug., Washington Post (Sept. 5, 2018)

Exhibit 134

Erin McCarthy Holliday, *Federal appeals court allows Goldman Sachs gender discrimination case to move forward*, Jurist (Sept. 6, 2018)

Exhibit 135

9th Circuit Court of Appeals Accepts Plaintiff's Request for Discretionary Appeal Regarding Class Certification in Microsoft Gender Discrimination

Exhibit 136

Lawsuit, SF Business Wire (September 21, 2018)

Ludmila Leiva, *Why Many of Fortune's "Best Companies to Work For" Actually Aren't*, Refinery 29 (Oct. 16, 2018)

Exhibit 137

Anthony Noto, *Goldman Sachs says women in bias lawsuit had arbitration deals*, New York Business Journal (Oct. 18, 2018)

Exhibit 138

Kevin Dugan, *Goldman Sachs lays off dozens of traders*, N.Y. Post (Mar. 14, 2019)

Exhibit 139

Liz Hoffman, *Goldman Sachs Implements Its Own 'Rooney Rule' in Diversity Push*, Dow Jones, (Mar. 19, 2019)

Exhibit 140

Dated: June 11, 2019
New York, New York.

/s/ Robert J. Giuffra, Jr.

Robert J. Giuffra, Jr.